

**ZONING APPLICATION FOR UNIFIED DEVELOPMENT ORDINANCE TEXT CHANGE
AS PROVIDED IN THE UDO AT 155.401.3**

APPLICATION NUMBER 2021-739 DATE FILED 7/28
APPLICANT'S NAME Matthews Presbyterian Church
APPLICANT'S MAILING ADDRESS PO Box 97, Matthews, NC 28106
APPLICANT'S PHONE NUMBER/EMAIL ADDRESS 704-847-4094/ jpurdiejr@carolina.rr.com

I request consideration of the following change in text of the Matthews Unified Development Ordinance:

Requested text change is:

- ☒ a change in wording to existing Section(s)
☒ an addition to Section(s)
☐ a deletion of wording at existing Section(s)

Below is the text requested to be changed, added or deleted:

Existing Section SEE ATTACHED

Proposed Section SEE ATTACHED

See Attached

(continue on additional page(s) as necessary)

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What is the intended effect of this request?

To clarify the definition of a columbarium as a wall and not a structure.

APPLICANT SIGNATURE

MATTHEWS PRESBYTERIAN CHURCH BY [Signature]

(continue on additional page(s) as necessary)

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FILING INSTRUCTIONS

An application for text amendment of the Matthews Unified Development Ordinance must be completed on the application form provided for such purpose and submitted with the appropriate fee to the Town Hall. The application shall be reviewed by the Town Planning and Development Department for completeness and then submitted to the Town Board of Commissioners for acceptance. The Town Board of Commissioners shall set a public hearing date according to their policy. The application shall be considered at a public hearing held jointly by the Town Commissioners and the Planning Board.

After the public hearing the application shall be reviewed by the Planning Board at their next regular meeting. At that meeting, the Planning Board may recommend approval, denial, or approval with conditions. This recommendation is then passed on to the Board of Commissioners at their next regular meeting in which zoning issues are discussed, according to Town Board policy. The Town Board of Commissioners may then approve, amend and approve, deny, or table action on the application. Any decision of the Town Board is final and subsequent revisions shall be handled in this same process as a new application.

The application for text amendment may be withdrawn by the Applicant at any time up to and including fifteen (15) days prior to the hearing date. Any subsequent withdrawal shall only be allowed by action of the Town Board of Commissioners.

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE FEE:

Add a permitted use:	\$100
Any other reason, fewer than three (3) paragraphs affected:	\$250
Any other reason, three (3) or more paragraphs affected:	\$400

Proposed Text Amendment

Red underline indicates added text.

~~Red strikethrough indicates deleted text.~~

Part I (Add Definition of Open Wall Columbaria)

155.103 Definitions

C. DEFINITIONS. The following words and terms when used in the interpretation and administration of this Title shall have the meaning set forth here except where otherwise specifically indicated. Words and terms not defined here shall be defined as specified in the latest published edition of Merriam-Webster's Collegiate Dictionary. [formerly known as § 153.007]

Fence: shall mean an artificially constructed barrier of wood, masonry, stone, metal, wire, and/or other manufactured or durable natural materials erected to enclose, screen, or separate areas, but not including hedges, shrubbery, trees, or other natural growth.

Structure: shall mean anything constructed or erected, the use of which requires location on the land or attachment to something having a permanent location on the land, excluding fences, walls used as fences, garden trellises, arbors, sports backstops, and similar items when such items are less than six feet (6') in height and twelve inches (12") in depth.

Open Wall Columbaria: shall mean an open aired wall, lined with vaults or niches for funerary urns, that has a height greater than 8 feet. Open wall columbaria less than the height standard of this definition shall be treated as a wall.

Part II (Remove open wall columbaria general right of way setback)

155.506.13 Cemeteries, Mausoleums, Columbarium, and Crematorium.

- A. Private or public cemeteries, as a stand-alone use or in association with a place of worship, may be permitted in or near residential neighborhoods, in the R-20, R-15, R-12, R-9, R/I, CrC, O, R-VS, SRN, and C-MF districts, when meeting the following criteria.
- B. STANDARDS.
1. Tombstones, monuments, and open wall columbarium must be located at least twenty-five feet (25') from any side or rear lot line which adjoins lots in a residential area and at least ten feet (10') from any side or rear lot line which adjoins all other properties. In any case, ~~they~~ tombstones and monuments must be at least forty feet (40') from any street right-of-way.
 2. Buildings for the maintenance, management, rent, or sale of cemetery lots, burial or remembrance sites, mausoleums, crypts, and columbarium within enclosed structures must be located at least one hundred feet (100') from any lot lines which adjoin lots in a residential area. Otherwise, any such buildings must conform to the requirements for principal uses in the district where they are located. [formerly known as § 153.189]